

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

KEVIN ANTHONY DICKSON, JR.,

Plaintiff,

v.

MATTHEW CUBBERLEY, JEFF McCARTER,

EMILY FAYE ABBOTT, and JOHN DOE,

Defendants.

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No.: 3:15-CV-47-TAV-CCS

**JUDGMENT ORDER**

In accordance with the accompanying memorandum and order, Plaintiff's motion for leave to proceed *in forma pauperis* [Doc. 1] is **GRANTED**, this *pro se* prisoner's civil rights action, filed under 42 U.S.C. § 1983, is **DISMISSED**, and Plaintiff's claims arising out of his underlying convictions are **DISMISSED WITHOUT PREJUDICE** to Plaintiff showing that his complaint is not subject to dismissal under *Heck* doctrine. Accordingly, Plaintiff's motion for temporary restraining order [Doc. 3] and motion to show cause [Doc. 8] are **DENIED as moot**.

Because the Court has **CERTIFIED** in its memorandum and order that any appeal from this order would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24. The Clerk is **DIRECTED** to close the civil file.

**ENTER :**

s/ Thomas A. Varlan

CHIEF UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

s/ Debra C. Poplin

CLERK OF COURT